

REPORT OF INVESTIGATION



Complaint Number 12-258

NOTICE CONCERNING CONFIDENTIALITY

This report of investigation concerns an alleged violation of Chapter 112, Part III, Florida Statutes, or other breach of public trust under provisions of Article II, Section 8, Florida Constitution. The Report and any exhibits may be confidential (exempt from the public records law) pursuant to Section 112.324, Florida Statutes, and Chapter 34-5, F.A.C., the rules of the Commission on Ethics. Unless the Respondent has waived the confidentiality in writing, this report will remain confidential until one of the following occurs: (1) the complaint is dismissed by the Commission; (2) the Commission finds sufficient evidence to order a public hearing; or (3) the Commission orders a public report as a final disposition of the matter.

STATE OF FLORIDA
COMMISSION ON ETHICS
Post Office Drawer 15709
Tallahassee, Florida 32317-5709

REPORT OF INVESTIGATION

TITLE: J. D. ALEXANDER
Former Member of the Florida Senate
Lake Wales, Florida

COMPLAINT NO.: 12-258
Exhibit A

INVESTIGATED BY: Thomas W. Reaves
Thomas W. Reaves

Distribution: Commission on Ethics
Respondent
Advocate
File

Releasing Authority: Vilinda Doss
Executive Director

5/30/13
Date

* * * *

**REPORT OF INVESTIGATION
COMPLAINT NO. 12-258**

- (1) Mr. Eugene H. Benson of Vero Beach alleges that Mr. J. D. Alexander, while serving as a member of the Florida Senate violated the Code of Ethics for Public Officers and Employees. It is alleged that the Respondent failed to provide a description or location of an "undeveloped lot" he listed as an asset on his 2011 CE Form 6, Full and Public Disclosure of Financial Interests.
- (2) The Executive Director of the Commission on Ethics determined that based upon the information provided in the complaint, the allegation is sufficient to warrant a preliminary investigation to determine whether there is probable cause to believe the Respondent violated Article II, Section 8, Florida Constitution (Financial Disclosure).
- (3) The Respondent's 2011 CE Form 6, appended as Exhibit A, reflects that on an attachment to the form, under the heading "Part B-Assets worth more than \$1,000," and sub-heading "Description of Asset" (page three of Exhibit A), the Respondent reported an "undeveloped lot" valued at \$322,740. No further description of the lot in question was provided.
- (4) The investigation revealed that the Respondent served as a member of the Florida Senate from 2002 through 2012.
- (5) The Polk County Property Appraiser's Internet website reflects that the Respondent and his wife, Cynthia Alexander, own a 3.28 acre undeveloped lot located at 0 Tower Boulevard in the "Mountain Lake" area of Lake Wales. For 2011, the Property Appraiser valued the property at \$322,740, which is the exact value reported for the "undeveloped lot" on the Respondent's 2011 CE Form 6.
- (6) The Respondent acknowledged by telephone that the above-referenced real property is the "undeveloped lot" that he disclosed as an asset under Part B of his 2011 CE Form 6. Noting this investigator's apparent ease in identifying the lot in question, Former Senator Alexander opined that he provided a sufficient description of the property on his CE Form 6 and he does not believe his failure to provide further description of the property violated Article II, Section 8, Florida Constitution. He noted that his accountant/bookkeeper completed the form, and he personally reviewed it and submitted it to Mr. Craig Meyer, the then Senate General Counsel, for final review. He said that Mr. Meyer "approved" the form before he (the Respondent) filed it with the Commission on Ethics. He concluded, "I relied on Senate Counsel's review. . . . I don't know what else to do [in such situations]."
- (7) Mr. Meyer confirmed by telephone that he formerly served as co-General Counsel for the Florida Senate. Mr. Meyer acknowledged that he "looked at" the Respondent's 2011 CE Form 6, although he could not specifically recall having told the Respondent that the form was accurately and

properly completed. Mr. Meyer concluded, "I know where that lot is so it might not have occurred to me [to suggest that he provide more detail regarding its description]. I, or we, just missed it."

(8) Subsequent to having been interviewed relative to this matter, the Respondent filed a CE Form 6X, Amendment to Full and Public Disclosure of Financial Interests, on which he identified the lot in question as "Undeveloped lot in Mountain Lake, Polk County parcel #272922866300008070."

END OF REPORT OF PRELIMINARY INVESTIGATION

EXHIBIT A

EXHIBIT A

FINANCIAL INTERESTS

COMMISSION ON ETHICS

DATE RECEIVED

JUN 28 2012

FOR OFFICE
USE ONLY:

ID Code



ID No.

72578

Conf. Code

P. Req Code *****

Alexander, Jd

*****SNGLP T1 P153

HON JD ALEXANDER
STATE SENATOR, 17TH DISTRICT
SENATE
ELECTED CONSTITUTIONAL OFFICER
CITY HALL COMPLEX, ROOM 115
201 CENTRAL AVE W
LAKE WALES, FL 33853

PROCESSED

CHECK IF THIS IS A FILING BY A CANDIDATE ☐

PART A -- NET WORTH

Please enter the value of your net worth as of December 31, 2011, or a more current date. [Note: Net worth is not calculated by subtracting your reported liabilities from your reported assets, so please see the instructions on page 3.]

My net worth as of 12/31, 2011 was \$ 7,762,078⁰⁰

PART B -- ASSETS

HOUSEHOLD GOODS AND PERSONAL EFFECTS:

Household goods and personal effects may be reported in a lump sum if their aggregate value exceeds \$1,000. This category includes any of the following if not held for investment purposes: jewelry, collections of stamps, guns, and numismatic items, art objects, household equipment and furnishings; clothing; other household items; and vehicles for personal use

The aggregate value of my household goods and personal effects (described above) is \$ 200,000⁰⁰

ASSETS INDIVIDUALLY VALUED AT OVER \$1,000:

DESCRIPTION OF ASSET (specific description is required - see instructions p.4)

VALUE OF ASSET

See attached (page 1 of 3)

PART C -- LIABILITIES

LIABILITIES IN EXCESS OF \$1,000 (See instructions on page 4):

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

SunTrust Bank, 101 E Central Ave, Lake Wales, FL
33853

\$297,390⁰⁰

JOINT AND SEVERAL LIABILITIES NOT REPORTED ABOVE:

NAME AND ADDRESS OF CREDITOR

AMOUNT OF LIABILITY

PART D -- INCOME

You may **EITHER** (1) file a complete copy of your 2011 federal income tax return, including all W2's, schedules, and attachments, **OR** (2) file a sworn statement identifying each separate source and amount of income which exceeds \$1,000, including secondary sources of income, by completing the remainder of Part D below

- ☐ I elect to file a copy of my 2011 federal income tax return and all W2's, schedules, and attachments.
[If you check this box and attach a copy of your 2011 tax return, you need not complete the remainder of Part D.]

PRIMARY SOURCES OF INCOME (See instructions on page 5):

NAME OF SOURCE OF INCOME EXCEEDING \$1,000	ADDRESS OF SOURCE OF INCOME	AMOUNT
See attached (page 2 of 3)		

SECONDARY SOURCES OF INCOME [Major customers, clients, etc., of businesses owned by reporting person--see instructions on page 5]

NAME OF BUSINESS ENTITY	NAME OF MAJOR SOURCES OF BUSINESS' INCOME	ADDRESS OF SOURCE	PRINCIPAL BUSINESS ACTIVITY OF SOURCE
See attached (page 3 of 3)			

PART E -- INTERESTS IN SPECIFIED BUSINESSES [Instructions on page 5]

	BUSINESS ENTITY # 1	BUSINESS ENTITY # 2	BUSINESS ENTITY # 3
NAME OF BUSINESS ENTITY			
ADDRESS OF BUSINESS ENTITY			
PRINCIPAL BUSINESS ACTIVITY			
POSITION HELD WITH ENTITY			
I OWN MORE THAN A 5% INTEREST IN THE BUSINESS			
NATURE OF MY OWNERSHIP INTEREST			

IF ANY OF PARTS A THROUGH E ARE CONTINUED ON A SEPARATE SHEET, PLEASE CHECK HERE ☐

OATH

I, the person whose name appears at the beginning of this form, do depose on oath or affirmation and say that the information disclosed on this form and any attachments hereto is true, accurate, and complete.


SIGNATURE OF REPORTING OFFICIAL OR CANDIDATE

STATE OF FLORIDA
COUNTY OF Lee

Sworn to (or affirmed) and subscribed before me this 25th day of

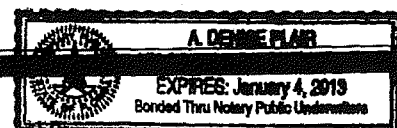
June, 20 12 by JD Alexander

A. Denise Plair
(Signature of Notary Public--State of Florida)

A. Denise Plair
(Print, Type, or Stamp Commissioned Name of Notary Public)

Personally Known ☒ OR Produced Identification ☐

Type of Identification Produced _____



FILING INSTRUCTIONS for when and where to file this form are located at the top of page 3.
INSTRUCTIONS on who must file this form and how to fill it out begin on page 3.
OTHER FORMS you may need to file are described on page 6.

Form 6 filed by J. D. Alexander, Member, Florida Senate,
District 17, as of 12/31/11

Supplemental Schedules page 1 of 3

Part B-Assets worth more than \$1,000

<u>Description of Asset</u>		<u>Value of Asset</u>
Bank Account:	Sun Trust Bank - checking	\$ 81,327
	Sun Trust Bank - savings	\$ 2,503
Home:	1351 N Highland Park Drive, Lake Wales, Fl	\$ 264,418
Stocks:	Alexander Properties	\$ 10,000
	Atlantic Blue Group, Inc.	\$ 25,327
	Mountain Lake Corp Stock	\$ 50,000
	Alico, Inc.	\$ 143,647
Trusts:	Ben Hill Griffin, Jr. Revocable Trust #1	\$ 122,944
	J. D. Alexander Gifting Trust	\$ 5,383,571
	John David Alexander SJA 2010 Legacy Trust	\$ 406,216
	John David Alexander JRA 2010 Legacy Trust	\$ 406,216
Retirement Funds:	IRA - SunTrust	\$ 66,356
	The Hartford	\$ 241,513
	State of Florida - ING	\$ 52,530
	IRA - SunTrust SEP	\$ 84,474
	Alico, Inc. Management Security Plan	\$ 83,886
Autos:		\$ 54,000
Land:	10 acres adjacent to home	\$ 57,800
	Undeveloped lot	\$ 322,740

Part C-Liabilities in excess of \$1,000

Mortgage:	SunTrust Mortgage	\$ 297,390
	102 E. Central Avenue, Lake Wales, 33852	

JP 6.24.12

Form 6 filed by J. D. Alexander, Member, Florida Senate,
District 17, as of 12/31/11

Supplemental Schedules page 2 of 3

Part D-Income

Primary Sources of Income

Name Source of Income exceeding \$1,000	Address of Source of Income	Type of Income	Amount
State of Florida	200 E. Gaines Street Tallahassee, FL 32399	Wages	\$ 29,337
Atlantic Blue Group, Inc.	122 E. Tillman Avenue Lake Wales, FL 33853	Wages	\$ 190,413
Alico, Inc.	640 S. Main Street LaBelle, FL 33975	Wages	\$ 406,242
Atlanticblue	122 E. Tillman Avenue Lake Wales, FL 33853	Board Fees	\$ 26,000
Alico, Inc.	640 S. Main Street LaBelle, FL 33975	Board Fees	\$ 54,000
CNL Financial Group	450 S. Orange Street Orlando, FL 32801	Board Fees	\$ 25,250
CNL MGGT, Inc.	450 S. Orange Street Orlando, FL 32801	Board Fees	\$ 7,750
John David Alexander Gifting Trust dated 12/27/96	Atlantic Blue Group, Inc. 122 E. Tillman Avenue Lake Wales, FL 33853	Dividend	\$ -
Ben Hill Griffin, Jr. Rev. Inter Vivos Trust #1 f/b/o John David Alexander	Atlantic Blue Group, Inc. 122 E. Tillman Avenue Lake Wales, FL 33853	Dividend	\$ -
John David Alexander JRA 2010 Legacy Trust, dated 07-06-10	Atlantic Blue Group, Inc. 122 E. Tillman Avenue Lake Wales, FL 33853	Dividend	\$ -
John David Alexander SJA 2010 Legacy Trust, dated 07-06-10	Atlantic Blue Group, Inc. 122 E. Tillman Avenue Lake Wales, FL 33853	Dividend	\$ -

JP 6.24.12

Form 6 filed by J. D. Alexander, Member, Florida Senate,
District 17, as of 12/31/11

Supplemental Schedules page 3 of 3

Part D-Income

Secondary Sources of Income

Name of Business Entity	Name of Major Sources of Business Income	Address of Source	Principal Business Activity of Source
Alico, Inc.	United States Sugar Corp	111 Ponce De Leon Ave Clewiston, FL 33440	Fruit Processor
Alico, Inc.	Citrosuco North America, Inc.	5937 Highway 60 East Lake Wales, FL 33898	Fruit Processor
Alico, Inc.	Florida Orange Marketers, Inc.	505 Avenue "A", NW, Suite 219 Winter Haven, FL 33881	Fruit Processor
Alico, Inc.	Louis Dreyfus Citrus, Inc.	355 South 9th. Street Winter Garden, FL 34787	Fruit Processor

JD 6.24.12